

JS 44C/SDNY
REV. 07/08/16

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Maplewood at Upper East Side, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Daniel Waxman
Bryan Cave LLP, 1290 Avenue of the Americas, New York, NY 10104
212-541-2000

DEFENDANTS

Maia Sendyk, as Administrator of the Estate of Benjamin Sendyk, Sharon Sendyk, as Adminstrator of the Estate of Benaim Sendyk, and Chicago Title Insurance Company, as escrow agent/stakeholder

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 USC 1332; Breach of Contract and Declaratory Judgment

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes (PLACE AN IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 367 HEALTHCARE/	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 375 FALSE CLAIMS	
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> PHARMACEUTICAL PERSONAL	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 376 QUI TAM	
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> INJURY/PRODUCT LIABILITY	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 400 STATE	
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 21 USC 881	<input type="checkbox"/> REAPPORTIONMENT	
INSTRUMENT	SLANDER	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 410 ANTITRUST	
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> 368 ASBESTOS PERSONAL		<input type="checkbox"/> 430 BANKS & BANKING	
OVERPAYMENT &	EMPLOYERS' LIABILITY	INJURY PRODUCT		<input type="checkbox"/> 450 COMMERCE	
ENFORCEMENT		LIABILITY		<input type="checkbox"/> 460 DEPORTATION	
<input type="checkbox"/> 151 OF JUDGMENT	<input type="checkbox"/> 340 MARINE	<input type="checkbox"/> PERSONAL PROPERTY	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 470 RACKETEER INFLU-	
<input type="checkbox"/> 152 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 830 PATENT	ENCED & CORRUPT	
RECOVERY OF	LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 840 TRADEMARK	ORGANIZATION ACT	
DEFALTED	<input type="checkbox"/> 350 MOTOR VEHICLE			<input type="checkbox"/> (RICO)	
STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE			<input type="checkbox"/> 480 CONSUMER CREDIT	
(EXCL VETERANS)	<input type="checkbox"/> PRODUCT LIABILITY			<input type="checkbox"/> 490 CABLE/SATELLITE TV	
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> 360 OTHER PERSONAL	<input type="checkbox"/> 380 OTHER PERSONAL	<input type="checkbox"/> SOCIAL SECURITY		
OVERPAYMENT	INJURY	PROPERTY DAMAGE	<input type="checkbox"/> LABOR	<input type="checkbox"/> 850 SECURITIES/	
OF VETERAN'S	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 861 HIA (1395ff)	COMMODITIES/	
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	<input type="checkbox"/> 862 BLACK LUNG (923)	EXCHANGE	
<input type="checkbox"/> 160 STOCKHOLDERS		<input type="checkbox"/> PRISONER PETITIONS	<input type="checkbox"/> 863 DIWC/DIWW (405(g))		
<input type="checkbox"/> 190 OTHER		<input type="checkbox"/> 463 ALIEN DETAINEE	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 890 OTHER STATUTORY	
CONTRACT		<input type="checkbox"/> 510 MOTIONS TO	<input type="checkbox"/> 865 RSI (405(g))	ACTIONS	
<input type="checkbox"/> 195 CONTRACT		VACATE SENTENCE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 891 AGRICULTURAL ACTS	
PRODUCT		28 USC 2255	<input type="checkbox"/> STANDARDS ACT		
LIABILITY		<input type="checkbox"/> 530 HABEAS CORPUS	<input type="checkbox"/> 720 LABOR/MGMT		
<input type="checkbox"/> 196 FRANCHISE	<input type="checkbox"/> CIVIL RIGHTS	<input type="checkbox"/> 535 DEATH PENALTY	<input type="checkbox"/> RELATIONS		
		<input type="checkbox"/> 540 MANDAMUS & OTHER	<input type="checkbox"/> 740 RAILWAY LABOR ACT		
	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS		<input type="checkbox"/> 751 FAMILY MEDICAL		
REAL PROPERTY	(Non-Prisoner)		LEAVE ACT (FMLA)	<input type="checkbox"/> FEDERAL TAX SUITS	
	<input type="checkbox"/> 441 VOTING		<input type="checkbox"/> 790 OTHER LABOR	<input type="checkbox"/> 870 TAXES (U.S. Plaintiff or	
<input type="checkbox"/> 210 LAND	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> PRISONER CIVIL RIGHTS	LITIGATION	Defendant)	
CONDEMNATION	<input type="checkbox"/> 443 HOUSING/	<input type="checkbox"/> ACCOMMODATIONS	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY	
<input type="checkbox"/> 220 FORECLOSURE		<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> SECURITY ACT (ERISA)	26 USC 7609	
<input type="checkbox"/> 230 RENT LEASE &		<input type="checkbox"/> DISABILITIES -			
EJECTMENT		EMPLOYMENT	<input type="checkbox"/> 462 NATURALIZATION		
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 446 AMERICANS WITH	<input type="checkbox"/> 550 CIVIL RIGHTS	APPLICATION		
<input type="checkbox"/> 245 TORT PRODUCT	DISABILITIES - OTHER	<input type="checkbox"/> 555 PRISON CONDITION	<input type="checkbox"/> 465 OTHER IMMIGRATION		
LIABILITY		<input type="checkbox"/> 560 CIVIL DETAINEE	ACTIONS		
<input type="checkbox"/> 290 ALL OTHER	<input type="checkbox"/> 448 EDUCATION	CONDITIONS OF CONFINEMENT		<input type="checkbox"/> 950 CONSTITUTIONALITY OF	
REAL PROPERTY				STATE STATUTES	

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION	<input checked="" type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2	DEF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4	DEF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6	DEF <input type="checkbox"/> 5 <input checked="" type="checkbox"/> 6
CITIZEN OF ANOTHER STATE			INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE			FOREIGN NATION		

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Maplewood at Upper East Side, LLC
 One Gorham Island
 Westport, CT 06880
 Fairfield County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Mala Sendyk, as Administrator of the Estate of Benjamin Sendyk, 2804 Avenue Z, Brooklyn, NY 11235, Kings County
 Sharon Sendyk, as Administrator of the Estate of Benjamin Sendyk, 9 Van Arsdale Court, East Brunswick, New Jersey 08816, Middlesex County
 Chicago Title Insurance Company, 601 Riverside Avenue, Jacksonville, FL 32204, Duval County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.
 DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 04/21/17 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT
 [] NO

[x] YES (DATE ADMITTED Mo. May Yr. 1993)
 Attorney Bar Code # 0599

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)